

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE:

Debra C. Jeffries

Debtor

Bankruptcy No. 19-56859-mlo
Honorable Maria L.Oxholm
Chapter 13

CHAPTER 13 PLAN MODIFICATION

DEBTOR, by and through her Attorneys, states the following in support of this plan modification;

1. Debtor is in a Chapter 13 plan that was confirmed on February 28, 2020.
2. Debtor's plan as confirmed runs 60 months and pays a base dividend of \$0 to the unsecured creditors. The plan is in month 3 and the Debtor has a payment history of 117.66% .
3. Pursuant to the confirmed plan, the Debtor is to remit tax refunds received during the pendency of the plan. For 2019 the Debtor is to receive a federal refund of \$4076.00.
4. At the time of confirmation, the Debtor was receiving disability pay through her employer. That pay has been cut significantly and due to the current COVID-19 crisis the Debtor is not able to transfer or find a new position. Updated paystubs showing the reduced income have been provided to the trustee.
5. It is anticipated that the Debtor will be able to return to a full time position within the organization within the next few months as the pandemic situation stabilizes. The Debtor seeks to retain her refund to supplement her income during these months that it is and has been at a reduced level.
6. The plan if amended will still pay significantly more than the \$0 base. (See attached Exhibit A for worksheet)
7. The effect of this plan modification on creditors will be as follows:
 - Class One-** No effect.
 - Class Two-** No effect.
 - Class Three-** No creditors of this class are in this case.
 - Class Four-** On-going payments to creditors will be maintained and arrears will still be paid.
 - Class Five-** No creditors of this class are in this case.
 - Class Six-** No creditors of this class are in this case

Class Seven- No creditors of this class are in this case.
Class Eight- No creditors of this class are in this case.
Class Nine- Creditors will still receive more than the \$0 base.

WHEREFORE, it is requested that Debtor's confirmed plan be modified to excuse turnover of the 2019 federal refund.

Dated: May 22, 2020

_____/s/Tricia S Terry_____
TRICIA S TERRY (P59522)
Marrs & Terry, PLLC
6553 Jackson Rd
Ann Arbor, MI 48103
734-663-0555
ttery@marrsterry.com

EXHIBIT A

WORKSHEET-PLAN MODIFICATION

1. Length of Plan is _____ weeks; **57** months; _____ years.

Debtor #1:

2. \$ **124** per pay period x ^{Bi-Weekly} **818.67** pay periods per Plan = \$ **101515.08** total per Plan

Bi-weekly

3. \$ _____ periods in Plan = _____

4. Lump Sums: Balance on hand **1473.60**

5. Equals total to be paid into the Plan **102988.68**

6. Estimated trustee's fees **10298.00**

7. Attorney fees and costs-
Plus estimated future **5000.00**

8. Total priority claims remaining 0.00

9. Total installment mortgage or
other long-term debt payments **70788.42**

10. Total of arrearage
including interest **5168.36**

11. Total secured claims,
including interest--- **0.00**

Total of items 6 through 11 \$ **91254.78**

12. Funds available for unsecured creditors \$ **11733.90**

13. Total unsecured claims \$ **84097.85**

14. Estimated percentage to unsecured creditors under Plan **13%**

15. Estimated dividend to general unsecured creditors if
Chapter 7, (\$ **0.00**

ATTACHMENT 1

LIQUIDATION ANALYSIS AND STATEMENT OF VALUE OF ENCUMBERED PROPERTY:

TYPE OF PROPERTY	FAIR MARKET VALUE	LIENS	DEBTOR'S SHARE OF EQUITY	EXEMPT AMOUNT	NON- EXEMPT AMOUNT
PERSONAL RESIDENCE					
3561 Burbank Dr Ann Arbor, MI 48105 Washtenaw County	182,000.00	159,097.00	22,903.00	22,903.00	0.00
PERSONAL RESIDENCE (total)	182,000.00	159,097.00	22,903.00	22,903.00	0.00
REAL ESTATE OTHER THAN PERSONAL RESIDENCE	0.00	0.00	0.00	0.00	0.00
HHG/PERSONAL EFFECTS					
Household Furniture, dining table, bedroom set, living room furniture. No one item worth more than \$500	8,000.00	0.00	8,000.00	8,000.00	0.00
Appliances	2,000.00	0.00	2,000.00	2,000.00	0.00
HHG/PERSONAL EFFECTS (total)	11,700.00	0.00	11,700.00	11,700.00	0.00
JEWELRY					
Misc costume jewelry	1,000.00	0.00	1,000.00	1,000.00	0.00
JEWELRY (total)	1,000.00	0.00	1,000.00	1,000.00	0.00
CASH/BANK ACCOUNTS	1,545.00	0.00	1,545.00	1,545.00	0.00
VEHICLES					
2019 Subaru Outback Lease Vehicle	0.00	0.00	0.00	0.00	0.00

VEHICLES (total)	0.00	0.00	0.00	0.00	0.00
OTHER (itemize)					
403b: TIAACREFF	417,097.88	0.00	417,097.88	417,097.88	0.00
Term policy through employer Beneficiary: Niece and Mother	0.00	0.00	0.00	0.00	0.00
Fall at UofM, workmens comp, had to take a lesser position	0.00	0.00	0.00	0.00	0.00
OTHER (total)	417,097.88	0.00	417,097.88	417,097.88	0.00

Amount available upon liquidation.....	\$	<u>0.00</u>
Less administrative expenses and costs	\$	<u>0.00</u>
Less priority claims.....	\$	<u>0.00</u>
Amount Available in Chapter 7	\$	<u>0.00</u>

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Notice of Deadline to Object to Proposed Chapter 13 Plan Modification

The deadline to file an objection to the attached proposed chapter 13 plan modification is 21 days after service.

If no timely responses are filed to a proposed post-confirmation plan modification, the proponent may file a certificate of no response and request entry of an order approving the plan modification.

If a timely objection is filed, the Court will set the matter for hearing and give notice of the hearing to the debtor, the proponent of the plan modification, the trustee and any objecting parties. In that event, the plan modification will become effective when the Court enters an order overruling or resolving all objections.

Objections to the attached proposed chapter 13 plan modification shall be served on the following:

Tricia S. Terry 6553 Jackson Rd Ann Arbor MI 48103

Tammy L. Terry 535 Griswold, Suite 2100, Detroit MI 48226

Dated: May 22, 2020

/s/Tricia S Terry
TRICIA S TERRY (P59522)
Marrs & Terry, PLLC
6553 Jackson Rd
Ann Arbor, MI 48103
734-663-0555
tterry@marrsterry.com

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ORDER MODIFYING CONFIRMED PLAN

This matter having come before the Court upon the application of Tricia Stewart Terry, of Marrs & Terry, PLLC, and all interested parties having been served with notice of the modification, no objections to the modification having been received and a certification of no response having been filed, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that turnover of the 2019 federal refund is excused.

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**PROOF OF SERVICE OF DEBTOR'S POST-CONFIRMATION CHAPTER 13 PLAN
MODIFICATION**

The undersigned hereby states that he did serve the **Debtor's Post-Confirmation Chapter 13 Plan Modification, Notice of Plan Modification, Proposed Order and Proof of Service** via the courts Electronic Case Filing System or First Class U.S. Mail upon the following:

****SEE ATTACHED MATRIX****

Dated: May 22, 2020

____/S/Tricia S. Terry____
Tricia S. Terry P59522
Marrs & Terry, PLLC
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Ann Arbor, MI 48103
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tterry@marrsterry.com